

AO 470 (12/03) Order of Temporary Detention

FILED

MAR - 2 2011

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 1218 DEPUTY CLERK

UNITED STATES OF AMERICA

vs.

(1) VERONICA RODRIGUEZ
Defendant

§ ORDER OF TEMPORARY DETENTION
§ PENDING HEARING PURSUANT TO
§ BAIL REFORM ACT
§

§ Case Number: SA:11-M -00181(1)

Upon Motion of the GOVERNMENT, it is ORDERED that a

PRELIMINARY / DETENTION HEARING

is set for March 07, 2011 * at 09:00 AM
Date *Time*

before U.S. Magistrate Judge John W. Primomo

in the Courtroom A, on the 4th Floor in the John H. Wood, Jr. United States Courthouse, 655
East Durango Blvd., San Antonio, Texas.
Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States Marshal)

(_____)

and produced for the hearing.

March 02, 2011

Date

John W. Primomo
JOHN W PRIMOMO
U.S. MAGISTRATE JUDGE

* If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or attempt to threaten, injure, or intimidate a prospective witness or juror.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

vs.

(1) VERONICA RODRIGUEZ

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NO: SA:11-M -00181(1)

DETENTION ORDER

At the initial appearance of the defendant, the government requested that the defendant be detained without bond pending trial pursuant to Title 18 U.S.C. Section 3142(f). On the date of the detention hearing, the defendant, with his/her counsel, and the attorney for the government appeared, and the parties announced an agreement to detain defendant without bond. The defendant is aware of his/her rights to a detention hearing and to require the government to meet its burden of proving that no conditions of release exist which will reasonably assure his appearance in court and the safety of the community. Defendant knows that if he waives his/her detention hearing, he/she will remain in custody pending trial. By signing this Detention Order, defendant acknowledges that he/she has no questions and understands his/her rights and the consequences of waiving those rights, and agrees to be detained without bond pending trial. Upon consideration of defendant's waiver, the charge against him/her, and the report of the Pretrial Services Office, the Court finds that, at this time, no conditions of release will reasonably assure the appearance of the defendant in court and the safety of the community. Should information having a material bearing on the issue of release subsequently become available, indicating a change in the defendant's circumstances, the defendant, through counsel, may file a motion requesting a bond hearing.

It is, therefore, ORDERED that:

- (1) Defendant be detained without bond pending trial;
- (2) Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (3) Defendant be afforded reasonable opportunity for private consultation with counsel; and

- (4) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with any court proceeding.

APPROVED:

(I) VERONICA RODRIGUEZ, *Defendant*

Attorney for Defendant

The Court **RECOMMENDS** that, should defendant be convicted, defendant's waiver of the detention hearing be considered in determining whether to award credit for acceptance of responsibility under the Sentencing Guidelines.

Signed this _____ day of _____, 2011.

JOHN W PRIMOMO
U.S. MAGISTRATE JUDGE

AO 468 (1/86) Waiver of Preliminary Examination or Hearing

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

vs.

(1) VERONICA RODRIGUEZ

Defendant

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**WAIVER OF PRELIMINARY
EXAMINATION OR HEARING
(Rule 5 or 32.1, Fed. R. Crim. P.)**

Case Number: SA:11-M -00181(1)

I, (1) VERONICA RODRIGUEZ, charged in a (complaint) (petition) pending in this District with POSSESSION WITH INTENT TO DISTRIBUTE 50 KILOGRAMS ORE MORE , in violation of Title 21, U.S.C. § 841, and having appeared before this Court and been advised of my rights as required by Rule 5 or Rule 32.1, Fed. R. Crim. P., including my right to have a preliminary (examination) (hearing), do hereby waive (give up) my right to a preliminary (examination) (hearing).

Date

(1) VERONICA RODRIGUEZ, Defendant

Attorney for Defendant